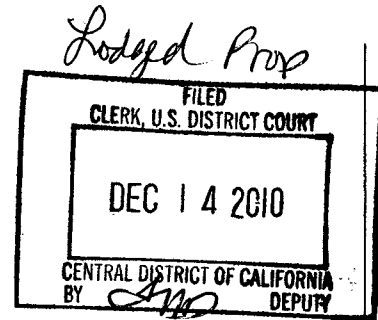


ORIGINAL



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6 Attorneys for Defendant
 7 METROPCS WIRELESS, INC.

8 UNITED STATES DISTRICT COURT
 9 CENTRAL DISTRICT OF CALIFORNIA

11 VIVIAN CUADRAS,

12 Plaintiff,

13 v.

14 METROPCS WIRELESS, INC.; and
 15 DOES 1 through 200, Inclusive,
 16 Defendants.

Case No. CV09 07897 CAS AJWx

**DEFENDANT'S APPLICATION
 FOR LEAVE TO FILE UNDER
 SEAL**

Dept: 5
 Judge: Christina A. Snyder

17
 18 In accordance with Central District Of California Civil Local Rule 79-5.1 and
 19 the Stipulated Protective Order of December 9, 2009, Defendant submits this
 20 Application for Leave to File Under Seal.

APPLICABLE STANDARDS

21
 22 The parties' Stipulated Protective Order, signed by the parties on December
 23 4, 2009 and entered by this Court on December 9, 2009, provides for the protection
 24 of sensitive personal information. *See* Prot. Order at ¶ 1.3 (D.E. 13 and 15). The
 25 Stipulated Protective Order requires that such materials be lodged under seal if used
 26 in connection with a Court filing. *Id.* at ¶ 5. Confidential financial information also
 27 is subject to protection from disclosure pursuant to various Federal and state laws.
 28

1 DISCUSSION

2 The Declaration of Monica Egan and supporting documents filed in support
3 of Defendant's Motion to Compel Arbitration and Stay Litigation falls within the
4 purview of the parties' Stipulated Protective Order and may be subject to other
5 protections afforded by Federal and state law concerning disclosure of confidential
6 financial information. The Declaration and supporting documents contain
7 confidential personal information relating Plaintiff, Ms. Trejo.

8 While Plaintiff has not designated or requested that such information be
9 treated as "CONFIDENTIAL", Defendant makes this application out of respect for
10 Plaintiff's confidentiality and requests that the material be sealed to prevent the
11 unnecessary disclosure of Plaintiff's personal and financial information.

12 CONCLUSION

13 For the foregoing reasons, Defendant requests that the Court enter an Order
14 allowing Defendant to file the Declaration of Monica Egan and accompanying
15 exhibits under seal.

16 Dated: December 14, 2010

DRINKER BIDDLE & REATH LLP

17
18 By: /s/ Michael J. Stortz
19 Michael J. Stortz

20 Attorneys for Defendant
21 METROPCS WIRELESS, INC.
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PROOF OF SERVICE

I, Lee Ann L. Alldridge, declare:

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 50 Fremont Street, 20th Floor, San Francisco, California 94105-2235. On December 14, 2010, I served a copy of the within document(s):

DEFENDANT'S APPLICATION FOR LEAVE TO FILE UNDER SEAL

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed Overnight Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Overnight Express agent for delivery.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

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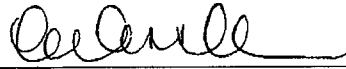
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I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage

1 meter date is more than one day after date of deposit for mailing in affidavit.

2 I declare that I am employed in the office of a member of the bar of this court at whose
3 direction the service was made..

4 Executed on December 14, 2010, at San Francisco, California.

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7 Lee Ann L. Alldridge
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